

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO : 23407 of 1995

Between:

- 1 K.Mallaiah, S/o Narsaiah,
R/o Edira (V), Mahaboobnagar Mandal & Dist.
- 2 K.Balaiah, S/o Narsaiah,
R/o Edira (V), Mahaboobnagar Mandal & Dist.
- 3 K.Laxmaiah, S/o Narsaiah,
R/o Edira (V), Mahaboobnagar Mandal & Dist. PETITIONERS

AND

- 1 The Mandal Revenue Officer,
Mahaboob Nagar Mandal at Mahaboobnagar.
- 2 Kari Balaiah, S/o Bakkaiah,
R/o Edira (V), Mahaboobnagar Mandal & Dist.
- 3 Kari Narayana, S/o Bakkaiah,
R/o Edira (V), Mahaboobnagar Mandal & Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or writs, order or direction, declaring and setting aside the proceedings dt.8.1.91 passed in Proc No.G/111/94-90 on the file of the 1st respondent as illegal, arbitrary and without jurisdiction by directing the 1st respondent to restore the land bearing Survey No.607/30, admeasuring (1) Acre (38) guntas situated at Edira (V), Mahaboobnagar Mandal & Dist. to the petitioners forthwith, award costs and pass such other order or orders in the circumstances of the case.

Counsel for the Petitioners:MR.K.RAGHUVeer REDDY

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for Respondents 2 & 3: Mr.P.Venkat Rami Reddy

The Court made the following :

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO.23407 OF 1995

ORDER:

Heard learned counsel for the parties.

The assignment in favour of the petitioners has been cancelled by virtue of the impugned order. The impugned order has been passed in the year 1991. After the assignment in favour of the petitioners has been cancelled, the land was assigned in favour of the respondents 2 and 3, who are now in possession of the land. They are also landless poor persons and are occupying the land admittedly for the last twenty years. The petitioners themselves are also landless poor persons. However, there is an allegation against the petitioners that the land allotted to them earlier was sold away by their father. In these circumstances, the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioners for allotment of land other than the land, which was already allotted to the respondents 2 and 3. No order as to costs.

(Bilal Nazki,J)

31st March, 2005

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To

- 1 The Mandal Revenue Officer,
Mahaboob Nagar Mandal at Mahaboobnagar.
- 2 Two C.Cs to the Government Pleader for Revenue,
High Court Buildings, A.P., Hyderabad (OUT)
- 3 Two C.D copies
- 4 1 CC to MR.VENKATA RAM REDDY PANDUGA

